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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. 3-11-70238 MAG
)	
Plaintiff,)	STIPULATION TO CONTINUE AND
)	EXCLUDE TIME UNDER THE SPEEDY
v.)	TRIAL ACT; PROPOSED ORDER
)	
MICHAEL DUPREE BROWN,)	
)	
Defendant.)	

Plaintiff, by and through its attorney of record, and defendant, by and through his attorney of record, hereby stipulate and ask the Court to find and order as follows:

1. Defendant is presently charged in a criminal complaint with violations of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), 18 U.S.C. § 922(g)(1), and 18 U.S.C. § 924(c)(1)(A)(i). Defendant has previously waived his right to a preliminary hearing pursuant to Federal Rule of Criminal Procedure 5 and has previously waived the time to be charged by indictment or information on the charges contained in the criminal complaint until August 31, 2011.

2. Defendant again waives the time for the government to file an indictment or information against him on the charges contained in the criminal complaint under 18 U.S.C. § 3161(b) in order for the defendant and his counsel to further review the case materials and

effectively prepare a defense to those charges and/or negotiate a pre-indictment resolution to this matter. For these reasons, the parties agree to exclude time under the Speedy Trial Act for defendant to be charged by indictment or information under 18 U.S.C. § 3161(b) from August 31, 2011, to October 4, 2011.

3. The parties further request that the matter be set for a status conference at 9:30 a.m. on October 4, 2011, before the Honorable Laurel Beeler, United States Magistrate Judge. IT IS SO STIPULATED.

DATE: September 1, 2011

Respectfully submitted,

MELINDA HAAG
United States Attorney

/s/
GARTH HIRE
Assistant United States Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA

DATE: September 1, 2011

/s/
GARRICK LEW, ESQ.
Counsel for Michael Dupree Brown

~~PROPOSED~~ ORDER

FOR GOOD CAUSE SHOWN, IT IS SO FOUND AND ORDERED THAT:

The matter shall be scheduled for a status conference before this Court at 9:30 a.m. on October 4, 2011, and the time within which the defendant must be charged by indictment or information on the charges contained in the criminal complaint, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b), is hereby excluded from August 31, 2011, until October 4, 2011. The Court also finds good cause to exclude the time period for a preliminary hearing under rule 5.1.

DATED: September 6, 2011


LAUREL BEELER
UNITED STATES MAGISTRATE JUDGE